



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

SE-5J

March 1, 2011

Steve Garbaciak, Jr. P.E.
Vice-President
Sediment and Waterfront Group
ARCADIS – BBL Inc.
10 South Riverside Plaza, Suite 1900
Chicago, Illinois 60606

Re: Notice of Completion of Work pursuant to Section XXIX of Order No. V-W-09-C-925 for the Allied Paper, Inc./Portage Creek/Kalamazoo River Superfund Site, Allegan and Kalamazoo Counties, Michigan

Dear Mr. Garbaciak:

On June 8, 2009, the United States Environmental Protection Agency (U.S. EPA) and with Georgia-Pacific LLC (GP) entered into an Administrative Settlement Agreement and Order on Consent for Removal (Docket No. V-W-09-925) (Settlement Agreement). Under this Settlement Agreement, GP agreed to conduct a time-critical removal action (TCRA) in the former Plainwell Dam #2 area of the Allied Paper, Inc./Portage Creek/Kalamazoo River Superfund Site (Site). The Settlement Agreement addressed threats to public health, welfare, and the environment presented by the presence of an uncontrolled release of polychlorinated biphenyls (PCBs) into the food chain of the Kalamazoo River from in-stream sediments, riverbank soils, and floodplain soils located within the Plainwell Dam #2 area. The specific removal activities required by the Settlement Agreement and completed by the Respondent is detailed below. Pursuant to Paragraph 80 of the Settlement Agreement, this letter represents U.S. EPA's Notice of Completion of Work, with the exception of the post removal action requirements identified below. *

In May 2009, ARCADIS, on behalf of GP, submitted the Plainwell Dam #2 Area TCRA Design Report (Design Report) to U.S. EPA. The Design Report described the response work to be performed by GP under the terms of the Settlement Agreement. U.S. EPA approved the Design Report on July 24, 2009.

* Terms defined in the Settlement Agreement generally have not been redefined in this letter, and continue to have the meaning ascribed to them in the Settlement Agreement.

In June 2007, ARCADIS submitted a Multi-Area Quality Assurance Project Plan (QAPP) for the Site. The Multi-Area QAPP addressed environmental monitoring to be conducted under the Supplemental Remedial Investigation and Feasibility Study Administrative Order on Consent, as well as under the Settlement Agreement for the TCRA at the former Plainwell Impoundment. GP submitted a draft revised version of the Multi-Area QAPP to U.S. EPA on October 29, 2009 to cover ongoing activities at the Plainwell Dam #2 Area and to include activities planned for the Willow Boulevard/A-Site Landfill Operable Unit. U.S.EPA provided comments and conditional approval of the Multi-Area QAPP on January 25, 2010, and ARCADIS, on behalf of GP, submitted a revised Final Multi-Area QAPP on March 10, 2010 consistent with U.S. EPA comments.

In compliance with off-Site shipments provision in Paragraph 21b of the Settlement Agreement, on August 21, 2009, ARCADIS, on behalf of GP, requested approval from USEPA to dispose of waste at the three proposed landfills – C&C Landfill in Marshall, Michigan, Ottawa County Farms Landfill in Coopersville, Michigan, and Wayne Disposal in Belleville, Michigan. On August 24, 2009, USEPA confirmed that all three landfills were permitted to receive waste material. The Wayne Disposal facility was permitted to receive waste material regulated by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Off-Site Rule.

Written progress reports concerning actions undertaken pursuant to the Settlement Agreement were submitted on a monthly schedule beginning on August 14, 2009 and ending on December 15, 2010.

GP submitted its Multi-Area Health and Safety Plan (HSP) to U.S. EPA on May 2, 2007. On June 31, 2009, GP submitted the revised Multi-Area HSP to address the Plainwell Dam 2 Area TCRA as Addendum 5 to the Multi-Area HSP.

GP conducted removal activities for the TCRA between August 2009 and October 2010. GP completed the first construction season for the TCRA on December 18, 2009. GP completed its second and final construction season on October 25, 2010.

On October 20, 2010, U.S. EPA, ARCADIS and GP representatives performed a site walk to determine if construction activities were complete at the Plainwell Dam 2 Area as defined by Paragraph 14 of the AOC. On October 25, 2010, U.S. EPA provided written notification that construction activities were complete for the Plainwell Dam 2 Area TCRA.

In December 2010, ARCADIS submitted a draft Final Report for the Plainwell Dam #2 TCRA as required by Paragraph 20 of the Settlement Agreement. The Final Report summarized the actions taken to comply with the Settlement Agreement and included a section on Post-Removal Controls. The U.S. EPA submitted comments to ARCADIS on February 15, 2011. On February 25, 2011, ARCADIS submitted a revised Final Report. U.S. EPA approved the revised Final Report on March 1, 2010.

Based on the U.S. EPA oversight of the Respondents' activities, review of the Final Report, and the Agency's October 20, 2011 final inspection of the Plainwell Dam #2, U.S. EPA has determined that all work has been fully performed in accordance with the Settlement Agreement, with the exception of any continuing obligations required by the Settlement Agreement, including, post-removal site controls, payment of Future Response Costs, and record retention. Work completed under the Settlement Agreement included the following:

- a. excavation and/or dredging of submerged sediments, river banks and floodplain soils in the Plainwell Dam #2 in accordance with the performance standards and at the locations specified in the Action Memorandum and the Work Plan;
- b. cut-back and stabilization of river banks;
- c. Waste Material Disposal
 - i. All sediments and soils will be designated and segregated as TSCA and non-TSCA waste using the methodology to be approved by EPA in the Work Plan.
 - ii. All Waste Material with PCB concentrations equal to or greater than 50 mg/kg PCB, as identified on Figure 1, shall be transported off-Site to a chemical waste landfill (e.g. EQ-The Environmental Company Wayne County Landfill) that is in compliance with all state and federal regulatory requirements.
 - iii. All Waste Material with PCB concentrations less than 50 mg/kg shall be transported off-Site and disposed in an appropriately licensed and permitted commercial landfill (e.g. C & C Landfill Marshall, MI and Ottawa County Landfill, Inc. Coopersville, MI).
 - iv. Thirty days prior to any change in disposal location for either TSCA or non-TSCA Waste Material, Respondent shall notify EPA and the State in writing. At its unreviewable discretion, EPA may waive this notice requirement.
- d. backfill and re-vegetation of excavated river banks and floodplain areas, as specified in the Work Plan; and
- e. monitoring during the implementation of the Work, and appropriate monitoring and maintenance post-removal.

This Notice of Completion of Work does not release the Respondent from any potential future obligations to perform additional work to address the same or other conditions at the Plainwell Dam 2 Area or the Site, generally. Further, this Notice of Completion of Work does not release GP from its obligation to implement Post Removal Controls including, bank monitoring, vegetation monitoring and Post-Construction monitoring and

maintenance reports. The Notice of Completion of Work does not release GP from any requirement regarding record keeping, monitoring, or payment of Future Response Costs, from penalties for any violation of the Settlement Agreement, or from any other obligation that extends beyond the date of this notice.

Please contact me at (312) 353-8360 or Leslie Kirby-Miles, Office of Regional Counsel, at (312) 353-9443 if you have any questions or comments regarding this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Sam Borries". The signature is fluid and cursive, with the first name "Sam" being more prominent than the last name "Borries".

Sam Borries
On-Scene Coordinator

Cc: Jim Saric, U.S. EPA
Leslie Kirby-Miles, U.S. EPA